

# P E T I T I O N

OF THE

Medical Faculty of the University of the City of New-York,

TO THE

HONORABLE THE SENATE AND ASSEMBLY

OF THE

STATE OF NEW-YORK,

FOR

THE LEGALIZATION OF ANATOMY.

A L S O ,

AN INTRODUCTORY LECTURE,

DELIVERED AT THE OPENING OF THE MEDICAL DEPARTMENT OF THE  
UNIVERSITY, FOR SESSION 1853-4, AND ENTITLED

A N A P P E A L

TO THE

PEOPLE OF THE STATE OF NEW-YORK,

TO

LEGALISE THE DISSECTION OF THE DEAD.

By JOHN W. DRAPER, M. D.

PRESIDENT OF THE MEDICAL FACULTY.

---

NEW-YORK :

---

1853.



# P E T I T I O N

OF THE

Medical Faculty of the University of the City of New-York,

TO THE

HONORABLE THE SENATE AND ASSEMBLY

OF THE

STATE OF NEW-YORK,

FOR

THE LEGALIZATION OF ANATOMY.

ALSO,

AN INTRODUCTORY LECTURE,

DELIVERED AT THE OPENING OF THE MEDICAL DEPARTMENT OF THE  
UNIVERSITY, FOR SESSION 1853-4, AND ENTITLED

A N A P P E A L

TO THE

PEOPLE OF THE STATE OF NEW-YORK,

TO

LEGALISE THE DISSECTION OF THE DEAD.

By JOHN W. DRAPER, M. D.

PRESIDENT OF THE MEDICAL FACULTY

---

NEW-YORK:

PUBLISHED BY THE FACULTY.

---

1853.

W<sub>M</sub>. C. MARTIN, *Printer*, 111 *John st.*, N. Y.

---

*THE PETITION of the Medical Faculty of the  
University of the City of New-York, to the Honor-  
able the Senate and Assembly of the State of New-  
York, respectfully sheweth :*

That your petitioners, being Physicians, and constituting the Medical Faculty of the UNIVERSITY OF THE CITY OF NEW-YORK, are authorized by law to give instruction in the various branches of Medicine and Surgery, the foundation of which is the science of Anatomy.

Your petitioners respectfully represent, that the only manner in which instruction in Anatomy can be given, and a knowledge of the diseases of the human body obtained, is by the dissection of the dead.

They would moreover set forth, that they, in common with all other Physicians of this State, are held accountable, by the Courts of law, for errors which may be committed by them in the practice of their profession; and that for such errors, arising from insufficient information respecting the structure and nature of the human body, they are liable to heavy pecuniary damages; that while they are thus required by law to teach Anatomy, and for any defect in their anatomical information are liable to punishment, they are also

forbidden, by the law, to obtain that knowledge in the only way in which it can be acquired—that is, by Dissection.

Your petitioners take leave to represent, that in all civilized countries the practice of their profession is regarded as a very honorable pursuit, its object being to relieve the afflicted, whether poor or rich. Your petitioners would state, that they themselves, in the capacity of a Medical Faculty, give surgical and medical advice, and furnish medicines, without charge, to about three thousand destitute persons every year; and they believe that similar acts of benevolence are practised by many other Physicians. Asserting thus the claims of their profession to the respect and consideration of every person, whatever may be his condition in life, your petitioners would respectfully ask from your honorable body, for that profession as well as for themselves, relief from the present laws which render them liable to ignominious punishment because they practice dissection, on which their usefulness to the community and the safety of their patients wholly depend.

They would moreover state, that in the discharge of their duty, as teachers of Medicine, they have caused an address to be delivered, of which a copy is herewith respectfully presented, setting forth the necessity of legalizing dissection; that of this many thousand

copies have been circulated, and public attention extensively drawn to the subject; that newspapers of every political party, and of various religious denominations, have been led to make remarks thereon, and that without a single exception, as far as your petitioners know, they have in every instance advocated the repeal of the existing laws, and the legalization of dissection. This general acceptance of the points urged in this address, your petitioners believe, proves that public opinion is now in advance of existing legislation on this subject.

Your petitioners therefore respectfully ask that the practice of dissection may be legalized, under such conditions as may seem requisite and proper to your honorable body.

All which is respectfully submitted.

VALENTINE MOTT, M. D.

MARTYN PAINE, M. D.

GUNNING S. BEDFORD, M. D.

JOHN W. DRAPER, M. D.

ALFRED C. POST, M. D.

WILLIAM H. VAN BUREN, M. D.

JOHN A. SWETT, M. D.





# ADDRESS.

---

GENTLEMEN :

It is related of a well-known minister of the Kirk of Scotland, who was invited to dine at the table of a lord, and requested to ask the accustomed grace on the various creature comforts so bountifully spread before them, that he took occasion not only to exercise himself at some length, as was usual in those times, but also in a suggestive way to observe, that the present blessings would be greatly enhanced if it should be put into the heart of his noble entertainer to send him a new coat, and still more particularly so if there should be added thereto a gown for his wife.

I have sometimes thought a similar advantage might be taken at the introductory lecture which custom assigns to each course in our Medical Colleges. For some reason, which I could never understand, these discourses are sought for with avidity, and circulated and read to a surprising extent. Strangely enough, they have become in the United States the most effectual medium of communication between our profession and the public; for thousands who would never dream of looking into a medical journal, take a morbid delight in this annual literature.

Why, then, should Professors of Medicine cast away the opportunity afforded them? Do we not labor under a great many grievances which we want to have removed? Are there not things which would increase our usefulness if they were granted to us? There are boons which we have to ask, and rights which we have to demand.

It is of one of these rights I am about to speak this evening. Like the good Caledonian minister to whom I have referred, I am addressing myself to one, and intending to reach another.

Nay, perhaps it is not too much for me to assume to be your mouthpiece, and speaking to you and for you, on one of the most momentous questions which concerns our profession, arraign the public at the bar of public opinion.

I know that in the case before me the odds are all against me. The people are at once the defendant and the judge. The success of an argument which is to reach the understanding of men, in spite of the sympathies and natural instincts of our race, is all but desperate; yet, less so in the United States than in any other part of the world. The American, if he be charged with injustice and wrong-doing, even by the most obscure accuser, will listen, and, if he be convinced, will reform.

At the foundation of all true medical knowledge, and without which there can be neither physician nor surgeon, is the study of Anatomy. This, which reveals to us the construction of our own bodies, is the only method by which we can reason intelligently respecting the causes of disease, or determine upon methods of cure. He who attempts the practice of medicine without this indispensable preliminary, is an impostor. Yet, there is but one means by which that knowledge can be perfectly obtained—it is by the dissection of the dead.

The public demands that the medical institutions shall furnish it with accomplished physicians; yet, it has set its face against the only means of doing this—it discountenances the study of Anatomy. This sentiment prevails in every part of the United States, both in the cities and in remote country places. Some luckless medical student, caught in the act of a midnight invasion of the grave, is marched off incontinently to the county jail, with his pick-axe, shovel and sack. He may bless his stars that the walls are thick, and the gratings strong, for a mob is howling outside. Some country college, conspicuous in its remoteness, is suspected by the populace of teaching Anatomy: it is torn to the ground,

and the Professors flee for their lives. These are not imaginary cases, but realities, which have occurred again and again, and of which the names and dates could be, without difficulty, supplied.

You are now beginning to understand the point of my discourse. It is with this sentiment I have to deal. I have undertaken the almost hopeless task of reasoning the community out of its determination in this respect.

Now, if it were worth while, I might take the different States in succession, and show what a discreditable spectacle their legal enactments present. Yet, out of courtesy, I will abstain, and limit the remarks I have to make on this point to my own State.

The people of the State of New-York have directed by law, that Anatomy shall be taught in their Medical Colleges; they have assigned the conditions under which they authorize a distinction—the Diploma of Doctor of Medicine—to be given, one of which is a knowledge of Anatomy. Even more than this—they have quite recently, descending in an unusual way to particular details, directed, by a general law, that the science shall be taught by a Demonstrator, whose fee shall be five dollars for every student. And yet, by another law, they have declared that whoever shall be convicted of dissecting the dead shall be sent to the State Prison. Oh, people of New-York! what kind of legislation do you call that! It is no excuse for you that your neighbors of Pennsylvania or other States have stultified themselves in the same way.

Under such contradictory laws, the position of the Doctor becomes at once dangerous and amusing. The State prohibits him being a good anatomist or surgeon, and the Courts punish him if he is a bad one. A troublesome patient, whose leg has become a little too short, or whose hand has been twisted a little way round, by some well-meant surgical operation, or who, as is more commonly the case, has had no

kind of injury done him, except perhaps that his feelings have been hurt by presenting his bill, sues the physician for damages. The State has insured the doctor's incompetence and mal-practice, and the Courts proceed to punish him for what the State has done. Nor does the absurdity stop here ; for it moreover appears that a doctor is compelled to attend any case to which he may be called, and if he refuses it is at his peril. So, the State, having first compelled him to be a bungling surgeon, compels him next to go to his patient, and then compels him to be fined.

But some politician whispers to me, "The intelligent part of the community understands perfectly your professional necessity ; and these penal enactments are a dead letter—intended merely as an offering to popular prejudice. You doctors should set about overcoming that prejudice, and we statesmen will quickly remove such inconsistencies from the statute-book. If it was our affair, we could persuade the people that it is pleasant to be dissected, just as we so often persuade them that it is profitable for them that we should put our hands into their pockets." To him I reply, O, learned successor of Solon ! I perfectly understand your professional necessity ; a balancing, my friend, between conscience in one scale, and popular prejudice in the other. I accept your sagacious suggestion, and as far as in me lies, will try to convince the community, that if the living owe duties to the dead, the dead also have a duty to the living.

Practical Anatomy is to be defended by the advantages arising to the living from its cultivation. Far beyond all other means, it aids in diminishing the amount of human misery, by enabling us to overcome or mitigate the diseases to which we are incident ; and in proportion as the structure of the body is better known, so are the chances of relief the better. An ignorant man, whose watch has stopped, tries in vain to set it agoing, by shaking and jolting ; but the skillful artist, who understands its various parts, examines

the complicated mechanism, and applies the necessary adjustment. And so with the physician; the knowledge he has acquired by the examination of the dead, he brings to the bedside of the sick. The tables of mortality show how striking is the result. In all great cities, and indeed wherever there is an intelligent practice of medicine, and registers of mortality are kept, we recognize, from period to period, an increase in the chances of life. I am not wrong in ascribing this improvement to the more thorough preparation which physicians receive, and the steady advance of their art. It is not from isolated cases, which we may meet with in the narrow circle of our own experience, that we are to judge, but from such universal results as those to which I am referring. There are persons, it is true, who profess to doubt whether, in this point of view, the practice of medicine is of any avail. The issues of life and death, they say, are with God alone, and we deceive ourselves, if we suppose the skill of man can postpone the inevitable hour. The three-score years and ten still remain the proverbial date as of old; for we are like the sands of an hour-glass—some fall away early, and some at a later time; but there is a moment, predestined by an inexorable fate, beyond which not one shall remain.

I accept the metaphor of those who would reason in this way, and admitting that there is a time beyond which a generation does not last, I would bid them watch more closely the sand grains of which they speak. Some descend in a direct, and for some there is marked out a winding way. In the changes and chances of this mortal career, the skillful physician can turn us aside from the downward course, and keep us awhile from the fall.

If, then, there is no better motive than a selfish desire to avail ourselves of benefits so great, is it not for each of us to do what he can to give force to those benefits? But not for ourselves alone do these advantages arise—all classes of soci-



ety participate in them, and yet perhaps not equally. For as long as wealth is attended by comforts, and poverty by affliction and suffering, so long will there be a greater demand for the skill of the physician among the lowly and desolate; and therefore I cast back the infamous assertion, "You dissect the poor for the sake of the rich," since, alas! the poor are the greatest gainers thereby.

When I look at the bills of mortality of this City, and see that sometimes nearly two hundred infants die in one week, and the majority of them among the poor; when I extend my view to a wider sphere, and find that there are strong reasons for believing that the male portion of the Irish Catholic emigration dies out in less than six years, I am appalled at such results. The public works of the United States consume each year more human life than the bloodiest European campaign. We talk about our conquests of peace, and boast that the wilderness is disappearing before us; we contrast the American axe with the Roman sword; but let us not deceive ourselves. The advancing tide of Western progress rolls over the emigrant's grave. The published accounts of railroads and canals show how many dollars such works have cost; but they hide the cost of human life—they say nothing of the unspeakable misery that has fallen on the widow and fatherless.

Perhaps it may be an inexorable destiny that no nation shall attain to greatness except by a waste of life. The old empires reached dominion through a path of blood—we go through an avenue of graves. Avaricious of gold and prodigal of life, we have marked our track to the Pacific. We have drained the labor of Europe, and our eyes are now turned on that of Asia. We say, there is the redundant population, and here is the vacant land. If the dead could speak, they would in bitterness exclaim, "Even so have we found it."

Can there, then, be nothing done to reduce this awful devastation? In cities a sparing provision has been made—

sometimes by private charities, sometimes by municipal or State endowments for hospital establishments—and the amount of good these institutions do no tongue can tell. But what are they, compared to the gigantic evil to be grappled with! Their benefits are essentially local, and can not be of any avail to the laborer stricken with fever in morasses a thousand miles away, or torn by an explosion on some distant railroad work. Clearly, there is but one means by which the evil can be reached, and that means is to spread all over the country a race of intelligent and rightly prepared physicians.

I say, then, it is the bounden duty of every conscientious man to give his support to the Medical Colleges, and see that they lack nothing needful for their efficiency—remembering that it is these institutions alone which can be brought to bear on this waste of life. The knowledge which has been gathered in the dissecting-room will produce its results in the railroad shanty; it will be felt among that wandering population which fringes the advance of civilization; nay, even here at home, it will find its way into those sinks of destitution and vice which your hospitals can never reach. For the sake of living humanity, permit your colleges to dissect the dead.

I say, moreover, that no conscientious man is at liberty to withhold his exertions from enlightening the public on this matter, nor to cease until the result is obtained. If, as a people, we stand idly by, and make no effort, there lies at our door a great national crime. All history teaches that such sins are never overlooked. Is not the Spaniard still in the hauds of the avenger for that Indian blood which cries for retribution from the silver mines of Mexico? For the failings of the individual there is mercy; but in the ways of Providence no mediator is provided for the sins of nations. There is an inflexible return of good for good, and evil for evil.

It often seems to me a surprising thing, when I witness the charity of this City—its sympathies sent out in a thousand ways in behalf of the destitute and afflicted—the wealth that is so lavishly expended in doing good, no matter whether the object of it be here or in distant countries—that so little interest is taken in the Medical Colleges, which, in truth, are first among the means of ministering to the physical sufferings of our race. Unsustained by the State, without aid from the community, these institutions of true learning quietly discharge their duty ; but perhaps the day is not distant when they shall be better understood, and have their reward.

The illustration I have been drawing from the dreadful loss of emigrant life in the United States is only one out of many that might have been presented. Reasons just as forcible might be applied to every rank of society, for there is no exemption from disease. Especially in those cases which require the skill of the surgeon does the necessity of anatomical knowledge become conspicuous. Does any one of us certainly know that before to-morrow he may not require that skill to tie an artery, or to amputate a limb ? Speaking as I do now, in the presence of the first living surgeons, is there any necessity for me to enforce this precept ? They will bear their testimony that their art can not exist except upon anatomy as its basis, and that just in proportion as the surgeon is skillful, so must his knowledge of anatomy be profound.

And here, again, though we are all liable to accident, for we know not what a moment may bring forth, and all, therefore, deeply interested in the perfection of surgery, I may once more inquire, by whom is it that these benefits are chiefly felt ? What class among us is it to which such troubles are most incident ? Is it the man who luxuriously rolls through our streets, and wears away his life in idleness ? Or is it the laborer, who earns his bread by the sweat of his brow, who has to face the hardships, and risks, and bitter-



ness ; who, if there is a dangerous service to be done, must perform it, though at the peril of life and limb ? Five-sixths of the surgical practice of this State is among that class.

Whoever follows the argument here presented, will recognize that it is not without purpose I so repeatedly return to this point of view. The opponents of the legalization of anatomy appeal to the prejudices of the laboring class, and conceal from them their great share of the benefit. In bringing the whole community to a better understanding of this matter, it should unquestionably be our first object to satisfy all that what we seek is not for the exclusive advantage of one, but for the common good. It takes nothing from the force of the argument when it thus turns out that the poor are the greatest gainers. Such a conclusion should cast a ray of light on the views of the reluctant politician.

The Western territories have a claim upon the Atlantic States—a claim for protection and aid. Their population constitutes what might be justly termed the advanced-guard of the American nation : its duty is to prepare the way for the masses of civilization that follow. In the last seventy years, pursuing a steady course, it has pushed forward from the ridges of the Alleghanies to near the foot of the Rocky Mountains ; at one point it has thrown out a column to the Pacific. It is a duty of hardship and risk—a struggle with the ruggedness of nature and the treachery of the Indians. We have no means of fairly estimating the loss of life in this duty ; but considering its nature, we may be assured that what holds good in other warfare holds good in this too—the advanced-guard bears the brunt of the campaign. A life of adventure must needs be a life of accident. New-York, which beyond all other States reaps the advantage of these labors, ought surely to take the lead in giving succor to those who thus pre-eminently work for her good. My friends : you can not found hospitals there, but you can provide the accomplished physician and skillful surgeon. There are ad-

mirable societies in this City which occupy themselves in sending missionaries for the religious instruction of these our distant brethren; but not one, except the Medical Colleges, which sends them the means of physical relief. The pestilential miasm, and accident, are suffered to do their work. And so again I say that it is a solemn duty, which you can not divest yourselves of, to omit no means for the thorough instruction of those who are led by Providence to dispense the benefits of medicine to those distant regions. It is not for you to put difficulties in the way of their obtaining the knowledge they need. So long as there stands on your statute-book a law repressing the study of anatomy, and thereby preventing a knowledge of surgery, the State of New-York is guilty of a crime to the West.

I stand here in the midst of a community familiar with Missionary projects—a community which pours out its wealth for the spiritual welfare of heathen tribes all over the globe. I ask that community what answer it will render when it is called to an account for the extinction of the Indian tribes of this Continent? For want of a physician who could vaccinate, the small-pox has swept off whole nations, not leaving a solitary survivor. Do you suppose that the interest you have taken in Syria, or India, or Burmah, will excuse you for this awful desolation at your own door?

In this manner, I come to the chief point of my discourse, which is to tell you that institutions for the cultivation of medicine and surgery are not to be dealt lightly by, and that you have a responsibility in their welfare which you can not shake off—especially as respects colleges in the City; for though I would not utter a word derogatory to our country institutions, ably administered as they are, yet it must come home to the common sense of every man that it is not in a country village, but in a great city, that disease is to be seen. It is not in Oxford, or Cambridge, but in London, that the medical schools of England are found. There is a physical

necessity which overrules all legislation. Here, in New-York, you will sometimes have three thousand emigrants landing in one day—a mass of destitution to which the medical student may extend succor, and from which he may draw knowledge. Duty to yourself, to your family, to the City, to the State, to the nation, demands that you shall help, as best you may, in increasing the means of usefulness of your Medical Colleges; nor can you, without doing wrong, embarrass their action by penal laws.

It was a profound sense of the advantages which would accrue to suffering humanity, doubtless suggested by such reflections as these we have been entertaining, which first led the Greek kings of Egypt to break through the practices of all antiquity, and especially through the religious sentiment of the country they ruled over, in directing the Professors of the Medical College at Alexandria to dissect the dead and prepare treatises setting forth the internal construction of man. Exact medicine dates from those enlightened times; and though in subsequent ages, as the Roman empire declined, and the Saracen power was developed, anatomical investigation ceased—for the Koran pronounces him defiled who touches a corpse—yet the knowledge which had thus been contributed by the Macedonian monarchs was too precious to be lost. It was preserved throughout the Pagan times, and handed down, from physician to physician, in Africa and Spain, until long after the Crescent had supplanted the Cross. The lapse of nearly seventeen hundred years, and perhaps the surreptitious researches of the physicians of the fourteenth century, began to suggest the necessity of revising what had thus been derived from remote antiquity. With liberal views, the Papal Governments set an example to Europe, and Italy became distinguished at once as the fountain of anatomical knowledge. When, out of the long list of her great anatomists, I recall some of those whose names are immortally connected with the structure of the

human body; when I speak of the tubes of EUSTACHIUS, and those of FALLOPIUS, the wing of INGRASSIUS, and the lobe of SPIGELIUS, the sinuses of VALSALVA, and the glands of MEIBOMIUS, the bridge of VAROLIUS, and the valve of VIEUSSENS, the nerve of VIDIUS, and the vein of SALVATELLA, the sounds fall like household words on the ear of the medical student. A series of splendid discoveries and works was the result; discoveries which are a lasting monument to that glorious country, the mother of European civilization.

It was my intention to have given you a few thoughts on what might be termed the religious view of this matter; though, standing here a mere medical professor, perhaps I might have stepped from my right position in so doing. And after all, where is the necessity? It is enough that I fall back on the fact I have just mentioned. Whatever our religious sentiments may be, Protestant or Catholic, we shall surely all agree in this, that they who thus first sanctified practical anatomy before Europe, deliberated when they took that course. Yet they did it in an age not only of acute theological discussion, but of the deepest feeling: it was done in view of the solemn services for the dead. It was done with the consent of men of the largest understanding, the highest philanthropy, and whose sincere piety no one can question. All that I could say in this respect, sinks into insignificance when compared with the discussions which must of necessity have taken place among those able men who looked at the matter in every light, and in the face of semi-barbarian but profoundly religious Europe, lent their great authority to the conclusion, that it is lawful to dissect the dead.

“Twice has Rome governed the world—once by her Cæsars and once by her Popes.” That is a saying of MAZZINI’S. He might have said thrice; for she has governed it, too, by her science. How many of the germs of modern knowledge do we owe to that fruitful soil! how many great inventions?

It was in Italy that the laws of the descent of bodies to the earth, and of the equilibrium of fluids, were first determined by GALILEO. It was in the Cathedral of Pisa that that illustrious philosopher watched the swinging of the chandelier, and observing that its vibrations, large or small, were made in equal times, left the House of God, his prayers unsaid, but the pendulum clock invented. It was to the Senators of Venice that he first showed the satellites of Jupiter, the crescent form of Venus, and the spots upon the Sun. It was in Italy that SANCTORIO invented the thermometer; that TORRICELLI constructed the barometer, and demonstrated the pressure of the air. It was there that CASTELLI laid the foundation of hydraulics, and discovered the laws of the flowing of water. There, too, the first European astronomical observatory was established, and there STANCARI first counted the number of vibrations of a string which is emitting musical notes. There GASSENDI determined the velocity of sound through the atmosphere, and showed that every note, high or low, came with an equal swiftness. It was there that DE DOMINIS gave the first idea of the true nature of that most beautiful of all meteors, the rainbow; and GRIMALDI proved that two rays of light—no matter how brilliant they may be—can be so combined as to produce total darkness, and so laid the foundation of that great theory which, next after the theory of Universal Gravitation of NEWTON, is the noblest conception to which the mind of man has ever yet attained—the wave-theory of light. The Florentine Academicians showed that dark heat might be reflected by mirrors across space; and in our own times MELLONI has proved that it may be polarized. The first philosophical societies were the Italian; the first botanical garden was established at Pisa, and the first classification of plants given by CESALPINUS. The first geological museum was founded at Verona, and the first who cultivated the study of fossil remains—the foundation of modern geology—were LEONARDI DI VINCI, the painter, and



FRACASTER. The great discoveries of this century, which have immortalized the name of Davy, it is true, are the property of England ; but the instruments which Davy used bear the names of GALVANI and VOLTA. Why need I speak of science alone ? Who will dispute with that illustrious people the palm of music and painting, of statuary and architecture ? The dark cloud, which for a thousand years has hung over that beautiful peninsula, is fringed with irradiations of light. But in the long list of her wonderful achievements, if duly considered, there is none which presents her intelligence and power in a more striking view than her action in the circumstance I am recalling to-night. When we witness the Mohammedan reluctance of enlightened America in this nineteenth century, we must surely allow to Italy of the fourteenth, the merit of a philanthropy greater than our own, and a moral courage more than Roman.

This example was lost on the Northern Europeans. VESALIUS says they were dissecting dogs in the University of Paris in his times. Indeed, it is only in our own recollection that England has felt she could follow it. It was not until the question had been illustrated by the most monstrous crimes, that the British Parliament seriously turned its attention to the subject. There, as here, the difficulty consists in arresting public attention—when that is accomplished you may safely wait for the result. After a close examination of all the arguments that could be presented—and it is needless to say that they were of every kind, theological, political, social—Parliament legalized the study of Practical Anatomy, and made due provision for the pursuit of it, by law.

Standing in clear relief from the rest of the United States, Massachusetts has followed that example. It is not the first time that she has taken the lead in deciding national action, and it is fitting that they who stood foremost in the great political event, should lead the way in thus conquering popular prejudice. Michigan has done the same. But where

are the rest of the States? No better than France or England were in the eighteenth century. It is with them that the medical profession has to deal. We arraign them at the bar of public opinion, and demand of them by what authority they repress medical instruction, and cripple the usefulness of physicians; by what authority they affix upon us the stigma of felons. We point to the annals of our profession, adorned with the most illustrious names, and not yielding by comparison to any other vocation in society—no, neither to the pulpit, nor the bar. Is there any among our leading men a cause of public scandal, or an evil example to the community? Can the other professions say that!

I trust a spirit will be roused in the medical profession all over this Continent, and that by joint action we shall see ourselves righted in this matter. I have no belief in continuing to do as we have done—speaking in whispers, in under tones, to one another, as though we were conscious of guilt. I believe in a bold and decisive course—in telling the public that it is in the wrong, and insisting that it shall do right. And though no one is better aware than myself of the feebleness and imperfection with which these words are said, no one is more sure that they will meet with a hearty response from every true American physician.

It is not that this Institution is especially interested in increasing its facilities in the way of anatomical supply. It seeks no other benefit than what it wishes all others to enjoy. For them, as well as itself, it asks to be relieved from a false position. The interests of society imperatively demand the study of practical anatomy. Then why not frankly acknowledge the fact, and make a suitable arrangement by law?

Medical men, both in their individual and collective capacity, are daily rendering services of the last importance to the community, and, as I have already said, no institutions are more conspicuous for the good they do than the Medical Colleges. In this City, rich in its public charities, you may

present which of those charities you please, and I will prove that any one of our three Medical Colleges surpasses it in usefulness. They are centers of a present good to the neighborhood in which they are placed ; they are sources of untold benefits to the whole country, by the educated men they send forth for the relief of the afflicted. Centers of local good they surely are ; for who can come into this building of an afternoon, and see the poor and helpless who are thronging to it and not be impressed with this fact? Here they receive advice from the most experienced surgeons and physicians, and are furnished with remedies by the Institution, free of charge, and such operations as may be necessary gratuitously performed upon them. To give an idea of the scale on which these things are done, it may be stated, that at the Surgical Clinique, which is under the charge of Professor MOTT, that under Professor POST, and that under Professor VAN BUREN, not less than two thousand persons are relieved each year. In the Obstetric Clinique, which was first introduced into the system of medical instruction by Professor BEDFORD, there have been presented since its commencement in October, 1850, more than 5,000 cases. Considering its peculiar nature, failure was predicted for this Clinique: you can bear witness that this prediction has not been verified. In similar terms I could speak of the Medical Clinique, and that on diseases of the skin. It is not for me in this presence to allude to the eminent services of those who thus make these free-will offerings. It is done without the receipt of a fee, or the expectation of a reward ; with no other object than the good of the poor, and the instruction of the medical student. But, for the University in which such things are done, I may, without any offence or any hesitation, demand public consideration in return.

In this work of local charity, New-York stands far in advance of all her sister cities, combining, on this great scale, relief for the poor and instruction for the student.



Often have I heard physicians who have visited us exclaim, "We have seen more varied cases of disease in your University in one month, than in practice at home in five years." It is the spreading knowledge of this fact which is fast tending to make New-York the center of medical education of the whole country.

Besides this local charity, the University supplies benefits of a more diffusive and lasting kind. Considerably more than one thousand physicians now are practising under its diploma, in different parts of the United States. If it were not invidious to draw comparisons with other undertakings, we might present the labors of these men, true missionaries of humanity. We might ask who can sum up the good they are doing to society; the sufferings they relieve; the merciful acts they perform? They encounter with equal fortitude the sun of summer and the storm of winter. On the same errand, and with the same equanimity, they pass through the luxurious habitations of the rich, or the solitude of the midnight forest. The pestilence finds them at their post.

Yet why should I say this of our University? it is true of all other medical colleges; and I think the time is not distant, when the communities in which they are located will appreciate their worth. The charitable will learn that through these institutions works of mercy may be carried out, and an effectual abatement made in the misery and sufferings around us. What means are there of doing a wide-spread good, which can for an instant compare with the endowment of a college clinique! They who look with pride on the advance of their cities to greatness, may be referred to the history of other countries in proof of the fact, that the medical school has often been the chief glory of a town. Of our own City, New-York, I have no fears; so rapid is her progress in material prosperity; so great is the concentration of wealth; so many are the men whose fortunes are to be counted by millions. We have nearly reached that point at which it is essential.

to us to have some other reputation than that of a great mart for merchandise ; that point at which society dislikes to hear how its riches were gained, but delights in showing how they are spent ; that point at which the medical college, along with other institutions for cultivation of letters and the fine arts, will be a cherished object of public care, and the pride of the City.

If my voice could be heard in the Legislature of New-York, I would address an appeal to it, not only in the name of the colleges and of the body of physicians, but also in the name of humanity. I would call on those able men, to whom are committed our interests, to remove from the statute-book laws which were repudiated in Europe even in the dark ages. I would ask them if there be any reason why we should stand behind Massachusetts or Michigan in an enlightened policy. I would entreat them to spare this great and powerful State the disgrace of having an example set in this matter by her younger and feebler sisters ; for, that Practical Anatomy will be legalized in the South and West as it has been in the North and East, there can not be a shadow of doubt. To one scrupulous from conscientious motives, I would point out the authority that has been given by both the chief divisions of the Christian Church, Protestant and Catholic. To another, timid for fear of popular prejudice, I would show that those who are to be mainly profited are the poor. Of what avail are all our munificent provisions for the destitute, if we deny the only means by which surgeons can be skillful ? Our hospitals and alms-houses can not accompany the emigrant on his lonely way ; but let us make sure as far as legislation can do it, that wherever sickness may surprise him a good physician shall be at hand. To provide that good physician, is a matter of philanthropy, charity, and State concern—not a party question. It is one of those things in which, whatever our political opinions may be, we have all the same interest. Disease invades all our

families in turn, and takes away one member after another. In turn we have all to come under obligations to that medical skill, the acquisition of which is threatened with punishment. Is it well that laws should exist, which men in every condition in life, poor and rich, the governors and the governed, unanimously agree must be broken? I would earnestly enforce my appeal, by asking—is it right as between man and man, that you should put this profession in such an attitude, when there is not one of you who would receive a medical adviser except you knew that he had again and again broken this law?

There are questions continually arising in the State, which, from their very nature, can not be made party questions. This is one of that class. It must commend itself on its own merits, not to this or that party, but to the understanding and conscience of each individual. Perhaps it may happen that what I am now saying may fall under the notice of some intelligent and influential member of the Legislature—one who, either in his own person or in his family, is deeply indebted to medical skill. To him I would say, now is the time to cancel that debt. In many ways you can silently but effectually aid in putting right this public wrong. It is of little consequence in what manner it may be done. Elsewhere intelligent persons have attempted these measures in an indirect form, as in enactments for the protection of cemeteries, or in bills relating to sepulture; but considering the services and rights of physicians, and the injustice that has been done them; considering the power, the intelligence, the greatness of this State, is it not fitting to put aside that flimsy veil, and, calling things by their right names, pass “An act for the relief of the medical profession of the State of New-York.” Surround your law by whatever conditions you may think best, to protect the sensibilities of society from offence—such conditions, perhaps, as those which have commended themselves to the good-will of the people in Massachusetts,

Michigan, and in England ; but legalize the dissection of the dead.

Here I must stop, and here may well ask myself what have I been doing? In a mixed audience, and in a public place, I have dared to speak of things which elsewhere they talk of in whispers. Instead of greeting with pleasant words the audience which has done me the honor to be present, I have taxed you with ingratitude and oppression to your physicians! With all the arguments, at first sight, against me, I have told you that you are in the wrong ; and what is more to the purpose, have proved it. But then I knew that in the Intelligence of each of you, I had an ally, which would fortify every argument, no matter how feebly it might be presented, and make you respect the remonstrances of one who venerates the profession to which he belongs, and who will never hesitate, at any odds, to defend it, while he has a tongue that can speak or a pen that can write.







